

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

CHRISTAKIS VRAKAS, Individually and on
Behalf of All Others Similarly Situated,

Plaintiff,

v.

UNITED STATES STEEL CORPORATION,
MARIO LONGHI, DAVID B. BURRITT,
DAN LESNAK, J.P. MORGAN
SECURITIES LLC, GOLDMAN SACHS &
CO., BARCLAYS CAPITAL INC., WELLS
FARGO SECURITIES, LLC, CREDIT
SUISSE SECURITIES (USA) LLC,
MORGAN STANLEY & CO. LLC,
MERRILL LYNCH, PIERCE, FENNER &
SMITH INCORPORATED, PNC CAPITAL
MARKETS LLC, SCOTIA CAPITAL (USA)
INC., CITIZENS CAPITAL MARKETS,
INC., SUNTRUST ROBINSON
HUMPHREY, INC., BNY MELLON
CAPITAL MARKETS, LLC, CITIGROUP
CAPITAL MARKETS, INC., COMMERZ
MARKETS LLC, THE HUNTINGTON
INVESTMENT COMPANY, SG
AMERICAS SECURITIES LLC, THE
WILLIAMS CAPITAL GROUP L.P., AND
ING FINANCIAL MARKETS LLC,

Defendants.

Civil Action No. 17-579

Judge Cathy Bissoon

**DEFENDANTS UNITED STATES STEEL CORPORATION,
MARIO LONGHI, DAVID BURRITT, AND DAN LESNAK'S
MOTION TO DISMISS**

1. Defendants United States Steel Corporation, Mario Longhi, David Burritt, and Dan Lesnak (the “U.S. Steel Defendants”), by and through counsel, respectfully move to dismiss the Amended Class Action Complaint for Violations of the Federal Securities Laws (the “Complaint”).

2. Plaintiffs' claims should be dismissed for the reasons set forth in the U.S. Steel Defendants' contemporaneously-filed memorandum of law (the "Memorandum") in support of this Motion, and for the reasons given in the motions to dismiss filed by the other defendants, all of which are incorporated by reference. As detailed more fully in the accompanying Memorandum, Plaintiffs' Complaint recites nearly sixteen months of disclosures without pleading with particularity that any of the disclosures actually were false. Despite complaining that U.S. Steel made inadequate capital investments and obscured that fact, the Complaint makes no challenge to any of U.S. Steel's regularly disclosed financial figures, including capital expenditures. The Complaint ultimately is little more than a lengthy disagreement with managerial decisions and business strategies, and it is well established that such disagreements do not a disclosure claim make. For these and other reasons given in the Memorandum, the claims against the U.S. Steel Defendants should be dismissed pursuant to the provisions of the Private Securities Litigation Reform Act and Federal Rules of Civil Procedure 9(b) and 12(b)(6).

3. Pursuant to this Court's order, the U.S. Steel Defendants certify that they made a meaningful effort to confer with plaintiffs prior to filing this motion. (ECF 2). The parties were unable to reach agreement.

Dated: December 14, 2017

Respectfully submitted:

/s/ Geoffrey J. Ritts

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*Attorneys for Defendants United States Steel
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Dan Lesnak*

CERTIFICATE OF SERVICE

I hereby certify that on this 14th day of December, 2017, a true and correct copy of this Defendants United States Steel Corporation, Mario Longhi, David Burritt, and Dan Lesnak's Motion to Dismiss and all supporting documents were filed and served on counsel of record via the United States District Court for the Western District of Pennsylvania's CM/ECF system.

/s/ Geoffrey J. Ritts